

DIVISION OF BANKING
STATE OF WEST VIRGINIA

In the Matter of:

**Karl Voss,
Karl Voss Mortgage,
Cardinal Mortgage.**

Dkt. No. 02-CDO-MB-01

ORDER TO CEASE AND DESIST

On this day the above-referenced matter was brought before me, Larry A. Stark, Commissioner of Banking of the State of West Virginia, for action compelling compliance with the provisions of WV Code § 31-17-1, *et seq.* Upon a review of the records and documents obtained from Karl Voss, Karl Voss Mortgage, and Cardinal Mortgage, together with the reports and materials submitted by the staff of the Division of Banking of the State of West Virginia and on information and belief, I hereby make the following findings of fact:

1. Karl Voss, an individual, and Karl Voss Mortgage and Cardinal Mortgage, sole proprietorships operated by Mr. Voss (hereinafter referred to collectively as "Voss"), are or were located in Martinsburg, West Virginia or its vicinity.
2. Because these businesses and Mr. Voss individually acted as a residential mortgage lender/broker, any or all of the businesses should have been licensed and

supervised by the Commissioner of Banking of West Virginia pursuant to WV Code § 31-17-1, *et seq.* (the "Act") before conducting the business of brokering and lending.

3. Pursuant to the Act, unless otherwise exempted, persons acting as brokers or lenders for mortgage loans secured by primary or subordinate liens on property located in West Virginia must first obtain a license from the Commissioner of Banking.

4. WV Code § 31-17-2(a) provides in relevant part that

[n]o person shall engage in this state in the business of lender or broker unless and until he or she shall first obtain a license to do so from the commissioner, which license remains unexpired, unsuspended and unrevoked.

5. Voss has not filed an application with the West Virginia Division of Banking for a license to act as a residential mortgage lender or broker.

6. Voss has not obtained a license from the Commissioner of the West Virginia Division of Banking to act as a residential mortgage lender or broker in this state.

7. Voss spoke with representatives from the Division of Banking periodically between June 2000, before licensing began, and December 2000, conversations in which he was informed of the licensing requirement.

8. Voss continues to do business as a residential mortgage lender or broker offering such services to the citizens of this state without the license and bond required by the Act, despite being informed by representatives of the Division of Banking again in October 2001 of the licensing requirement and that he was originating loans in violation of law and should cease such activity immediately.

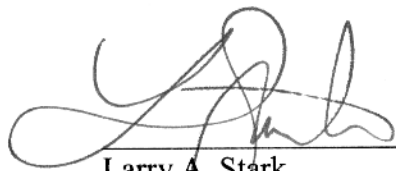
THEREFORE, pursuant to the authority granted to me by WV Code § 31A-2-4(c)(15)(A), effective immediately, I hereby ORDER Karl Voss, an individual, and Karl Voss Mortgage and Cardinal Mortgage to CEASE AND DESIST from engaging in mortgage brokering and mortgage lending activity in the State of West Virginia.

This ORDER shall remain in effect until modified or vacated by further Order of the Commissioner of Banking.

NOTICE OF RIGHT TO APPEAL

Karl Voss, Karl Voss Mortgage and Cardinal Mortgage are hereby notified that they may contest the issuance of this Order by filing a notice of appeal within ten (10) days of receipt of this Order. Such notice of appeal should be filed with the Commissioner of Banking addressed to: Larry A. Stark, Commissioner of Banking, West Virginia Division of Banking, 1900 Kanawha Blvd., East, Building 3, Room 311, Charleston, West Virginia 25305-0240.

Entered: July 22, 2001



Larry A. Stark
Commissioner of Banking